

supporting analog or digital trunked radio services and capable of being expanded in a manner consistent with current public safety communications technical standards; and

WHEREAS, the COUNTY/CITY/TOWN and PATROL Agreement provides for COUNTY/CITY/TOWN and PATROL approval of the use of radio communications created by that Agreement (and COUNTY/CITY/TOWN procurement and construction of an 800 MHz system that operates in a manner consistent with the provisions of the COUNTY/CITY/TOWN and PATROL Agreement) by parties in addition to the COUNTY/CITY/TOWN and the PATROL; and

ARTICLE I - PURPOSE

- 1.01 The purpose of this Agreement is to define the rights and obligations of the COUNTY/CITY/TOWN and PATROL with respect to the coordinated operation, maintenance, and upgrades of the 800 MHz mixed mode radio system.

ARTICLE II - COOPERATION

- 2.01 The COUNTY/CITY/TOWN and PATROL will cooperate and use their best efforts to ensure that the various provisions of this Agreement are fulfilled. The parties agree in good faith to undertake resolutions of disputes, if any, in an equitable and timely manner and in accordance with the provisions of this Agreement.

ARTICLE III - DEFINITION OF TERMS

- 3.01 **AGREEMENT.** “Agreement” means this document as approved by appropriate action through ordinance, resolution, or other method, pursuant to the ordinances, resolutions, or charter of the governing bodies of the COUNTY/CITY/TOWN and the PATROL.
- 3.02 **AMENDMENT.** “Amendment” means a change to this Agreement as submitted to and approved by the governing bodies of the COUNTY/CITY/TOWN and PATROL.
- 3.03 **APPORTIONMENT OF COSTS AND REVENUES.** “Apportionment Of Costs And Revenues” means the manner in which the operating, maintenance, and upgrade costs of the 800 MHz mixed mode trunked radio systems may be identified and allocated between the COUNTY/CITY/TOWNS and the PATROL.
- 3.04 **AUTHORIZED USERS.** “Authorized users” are COUNTY/CITY/TOWN users duly authorized by the Agreement with the PATROL to utilize the 800 MHz mixed mode trunked radio systems.
- 3.05 **COUNTY/CITY/TOWN.** “COUNTY/CITY/TOWN” means the city, county, consolidated city-county, town, local BOARD of Education, sanitary district, facility authority created under Part 4 of § 160A-460, or other local political subdivision, authority, or agency of local government, party to this Agreement.